

# SENATE BILL No. 31

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 22-5-4.5.

**Synopsis:** Workplace COVID-19 immunization. Prohibits an employer from requiring, as a condition of employment, an employee or prospective employee to receive an immunization against COVID-19 if the immunization would pose a significant risk to the employee's or prospective employee's health or if receiving the immunization is against the employee's religious beliefs. Allows for a civil action against an employer for a violation.

**Effective:** Upon passage.

---

---

## Kruse

---

---

January 4, 2022, read first time and referred to Committee on Health and Provider Services.

---

---



Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

# SENATE BILL No. 31

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 22-5-4.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]:

4 **Chapter 4.5. COVID-19 Immunization Requirement for**  
5 **Employment**

6 **Sec. 1. As used in this chapter, "COVID-19" has the meaning set**  
7 **forth in IC 34-30-32-3.**

8 **Sec. 2. An employer may not:**

9 (1) **require, as a condition of employment, that an employee or**  
10 **prospective employee receive an immunization against**  
11 **COVID-19; or**

12 (2) **discriminate against an employee with respect to:**

13 (A) **an employee's tenure, compensation, and benefits; or**

14 (B) **terms, conditions, and privileges of employment;**

15 **for failing to receive an immunization against COVID-19;**

16 **if the immunization would pose a significant risk to the employee's**

17 **or prospective employee's health, or if receiving the immunization**



1 is against the employee's or prospective employee's religious  
2 beliefs.  
3 **Sec. 3. (a) An employee or prospective employee may bring a**  
4 **civil action against an employer to enforce section 2 of this chapter.**  
5 **(b) If an employer violates section 2 of this chapter, the court**  
6 **may do the following:**  
7 **(1) Award:**  
8 **(A) actual damages; and**  
9 **(B) court costs and reasonable attorney's fees;**  
10 **to the prevailing employee or prospective employee.**  
11 **(2) Enjoin further violation of this chapter.**  
12 **SECTION 2. An emergency is declared for this act.**

